



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Samuel J. TREMONT et al.

Serial No.: 09/912,233

Filed: July 25, 2001

For: NOVEL 1,4-BENZOTHAZEPINE AND 1,5-BENZOTHAZEPINE  
COMPOUNDS AS INHIBITORS OF APICAL SODIUM CO-DEPENDENT  
BILE ACID TRANSPORT AND TAUROCHOLATE UPTAKE

Atty. Docket No.: 061765.00195

Group Art Unit: 1614

Examiner: Unassigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Assistant Commissioner of Patents  
Washington, D.C. 20231  
**Attn: Box Missing Parts**

Dear Sir:

In response to the Notice to File Missing Parts of Application, mailed September 19, 2001, Applicants submit the enclosed executed Declaration of the referenced application and the surcharge for late filing of the same. This paper is being filed with a copy of the Notice to File Missing Parts, an Assignment, Assignment Recordation Cover Sheet and the authorization to charge the filing fee \$16,788, the late fee \$130.00 and Assignment Recordation fee \$40.00 to our Deposit Account No. 19-0733.

**Application Serial No. 09/912,233**


**Docket No. 061765.00195**  
(C-3356/US)

No additional fees are believed to be due. However, if any additional fees are required or an overpayment of fees made, please debit or credit our Deposit Account No. 19-0733, as necessary.

Respectfully submitted,

Date: November 19, 2001

By:

  
Ajay Pathak  
Registration No. 38,266

BANNER & WITCOFF, LTD.  
1001 G Street, N.W., 11<sup>th</sup> Floor  
Washington, D.C. 20001  
(202) 508-9100 (general office line)  
(202) 508-9187 (direct office line)  
(202) 508-9299 (office fax)

**Attachments:**

Copy of Notice to File Missing Parts of Application  
Declaration (executed)  
Request for Recordation of Assignment  
Assignment (executed)  
Fee Transmittal

Section 7

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 16,958

## Complete if Known

Application Number 09/912,233  
Filing Date July 25, 2001  
First Named Inventor Samuel J. TREMONT et al.  
Examiner Name Unassigned  
Group / Art Unit 1614  
Attorney Docket No. 061765.00195

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number 19-0733
- Deposit Account Name Banner & Witcoff
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27

## 2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

### SUBTOTAL (1)

(\$ 740)

### 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
882	6	1	862	18	15516
			3	84	252
				280	280

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

### SUBTOTAL (2)

(\$ 16,988)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

### SUBTOTAL (3)

(\$ 170)

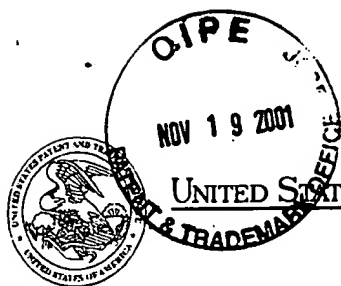
## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Ajay Pathak	Registration No. Attorney/Agent)	38,266	Telephone	202-508-9187
Signature	<i>Ajay Pathak</i>			Date	November 19, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



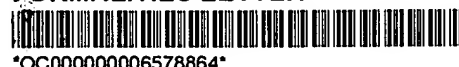
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/912,233	07/25/2001	Samuel J. Tremont	61765.00195

CONFIRMATION NO. 4337

## FORMALITIES LETTER



\*OC000000006578864\*

22907  
BANNER & WITCOFF  
1001 G STREET N W  
SUITE 1100  
WASHINGTON, DC 20001

Date Mailed: 09/19/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$15756.
  - \$15246 for 847 total claims over 20.
  - \$240 for 3 independent claims over 3 .
  - \$270 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 16596.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

11/20/2001 09:00:00 00000043 190733 09912233

01 FC:101 740.00 CH  
02 FC:103 15516.00 CH  
03 FC:102 232.00 CH  
04 FC:104 280.00 CH  
05 FC:105 130.00 CH